

POSSIBLE CHANGES TO REGULATIONS FOR PUBLIC SHELLFISH FISHERY AREAS (PSFA)

The department has been asked to declassify two public shellfish fishery areas.

1) Declassify PSFA 156 by modifying the boundaries to exclude a 5.6 acre area.

The department received shellfish aquaculture lease application #350 (Morris & Morris) requesting to declassify an approximate 5.6 acre portion of PSFA 156 in Smith Creek, St. Mary's County. In accordance with the Code of Maryland Regulations (COMAR 08.02.04.17), the department evaluated harvest data and conducted a biological survey of the proposed lease site on October 4, 2017 and determined that there are no oysters or oyster bottom present in this location. Consequently, the proposed lease area meets the regulatory criteria that provides for declassifying this portion of the PSFA and the application satisfies the requirements of COMAR 08.02.23.03. Once the area is declassified the department will issue a submerged land lease to the applicants.

2) Declassify PSFA 80 by modifying the boundaries to exclude a 0.5 acre area.

The department received shellfish aquaculture lease application #277 (McBee) requesting to declassify an approximate 0.5 acre portion of PSFA 80 in Shipping Creek, Queen Anne's County. In accordance with COMAR 08.02.04.17, the department evaluated harvest data and conducted a biological survey of the proposed lease site on August 24, 2016 and determined that there are no oysters or oyster bottom present in this location. Consequently, the proposed lease area meets the regulatory criteria that provides for declassifying this portion of the PSFA and the application satisfies the requirements of COMAR 08.02.23.03. Once the area is declassified the department will issue a water column lease to the applicant.